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09/599,534	06/23/2000	Ariel Cattan	Q59789	1185

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EXAMINER

LOGSDON, JOSEPH B

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 03/04/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/599,534

Applicant(s)

CATTAN ET AL.

Examiner

Joe Logsdon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2, 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**Objections:**

1. The abstract of the disclosure is objected to because it is too long. The abstract must not exceed 150 words. Correction is required. See MPEP § 608.01(b).

2. The disclosure is objected to because of the following informality:

In several places, the disclosure refers to hyperlinks.

Appropriate correction is required.

**Claim Rejections—35 U.S.C. 112, Second Paragraph:**

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 5-10, 12-21, 26-31, and 33-37 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5 and 26 recite, “generates the first upstream Internet message based on the first upstream Internet address.” The meaning of this phrase is unclear. Claims 6-10 and 27-31 depend on claims 5 and 26 and are therefore similarly rejected.

Claims 12 and 33 recite, “wherein first downstream Internet address further comprises a first downstream identification and a first selected Internet address.” The meaning of this phrase is unclear.

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Claims 13, 18, and 34 recite, “a first responsive Internet address.” The meaning of this phrase is unclear. In particular, the meaning of “responsive Internet address is vague.”; it is unclear to what the Internet address responds. Claims 14-17, 19-21, and 35-37 depend on claims 13, 18, and 34 and are therefore similarly rejected.

### **Claim Rejections—35 U.S.C. 102(a):**

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 1-6 and 22-25, are rejected under 35 U.S.C. 102(a) as being anticipated by Lahtinen et al. (WO 99/35595).

With regard to claims 1, 3, 4, 22, 24, and 25, Lahtinen et al. discloses a method and system whereby a protocol is converted between an SMS protocol used by a mobile unit (GSM telephone) and an Internet protocol (HTTP) used by the Internet (Fig. 2; page 5). The mobile station gets a web page from the Internet using SMS and HTTP (page 5; Fig. 2).

With regard to claims 2 and 23, Lahtinen et al. teaches that the device receives a downstream web page using http, and that this web page is responsive to the upstream SMS message (Fig. 2; page 5).

With regard to claim 5, Lahtinen et al. fails to expressly teach that the protocol converting controller receives the first upstream mobile terminal message, selects a first upstream Internet address corresponding to the first upstream mobile terminal message, and generates the first upstream Internet message based on the first upstream Internet address, wherein the first upstream Internet message is supplied to an Internet application. But the proxy server in Lahtinen et al. inherently performs these functions. In particular, to convert between the SMS and Internet protocols, the proxy server must necessarily receive the first upstream mobile terminal message, select a first upstream Internet address corresponding to the first upstream mobile terminal message, and generate the first upstream Internet message based on the first upstream Internet address, wherein the first upstream Internet message is supplied to an Internet application.

With regard to claim 6, Lahtinen et al. fails to expressly teach that the protocol converting controller determines if the first upstream mobile terminal message is part of an existing session with the internet application, wherein, when the first upstream mobile terminal message is part of the existing session, the protocol converting controller selects a first selected Internet address as the first upstream Internet address, and wherein, when the first upstream mobile terminal message is not part of the existing session, the protocol converting controller selects a second selected Internet address as the first upstream Internet address. But the proxy server in Lahtinen et al. inherently performs these functions. In particular, to convert between the SMS and Internet protocols, the proxy server must necessarily determine if the first upstream mobile terminal message is part of an existing session with the internet application, wherein, when the first upstream mobile terminal message is part of the existing session, the protocol

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converting controller selects a first selected Internet address as the first upstream Internet address, and wherein, when the first upstream mobile terminal message is not part of the existing session, the protocol converting controller selects a second selected Internet address as the first upstream Internet address.

### **Claim Rejections—35 U.S.C. 103(a):**

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 11 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lahtinen et al. in view of Doeberl et al.

With regard to claims 11 and 32, Lahtinen et al. fails to teach receiving a first downstream Internet message from an Internet application before receiving the first upstream mobile terminal message, wherein the first downstream Internet message comprises a first downstream cookie; determining if the Internet application requires the first downstream cookie to appropriately process the first upstream Internet message; and when the first downstream cookie is required to appropriately process the first upstream Internet message, outputting the first downstream cookie as a first upstream cookie, along with the first upstream Internet message. Doeberl et al. teaches receiving a first downstream message comprising a cookie

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("setting a long-lived cookie in a user's cookie file"; column 1, lines 47-60). Doeberl et al. teaches determining if the Internet application requires the first downstream cookie to appropriately process the first upstream Internet message (i.e., it is determined whether a cookie has been set by a website; column 1, lines 47-60); and when the first downstream cookie is required to appropriately process the first upstream Internet message, outputting the first downstream cookie as a first upstream cookie, along with the first upstream Internet message (column 1, lines 47-60). It would have been obvious to one of ordinary skill in the art to modify the invention of Lahtinen et al. so that it teaches receiving a first downstream Internet message from an Internet application before receiving the first upstream mobile terminal message, wherein the first downstream Internet message comprises a first downstream cookie, as taught by Doeberl et al.; determining if the Internet application requires the first downstream cookie to appropriately process the first upstream Internet message, as taught in Doeberl et al.; and when the first downstream cookie is required to appropriately process the first upstream Internet message, outputting the first downstream cookie as a first upstream cookie, along with the first upstream Internet message, as taught in Doeberl et al., because such an arrangement would enable the system to perform authentication prior to commencement of communication.

## Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pirkola et al., Chang et al., Joong, Takeda et al., Karjanlahti, and Dahlin et al., are cited to show the state of the art.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Logsdon whose telephone number is (703) 305-2419. The examiner can normally be reached on Monday through Friday from 10:00 am to 6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 703-305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joe Logsdon

Patent Examiner

Saturday, February 28, 2004



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